

Notice of Allowability

Application No.

10/728,997

Examiner

Henry N. Tran

Applicant(s)

KATO ET AL.

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 12/5/03 and the telephone interview on 2/28/07.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/678,274.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20060228.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Henry N. Tran
HENRY N. TRAN 2/28/07
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicants' attorney, Mr. Dana Tangren, on February 28, 2007, for overcome: (i) a claim objection due to an editorial error in the base claim 1; (ii) claim rejections under 35 USC § 112, 2nd indefiniteness, and 35 USC § 101, non-statutory subject matter of the base claims 1 and 6, for placing the application in condition for allowance.

The application has been amended as follows:

In The Claims:

Claim 1: on line 4, after "said display", delete ":", insert -- ; --;
on line 6, after "position of", delete "the", insert -- a --;
on line 11, after "the bright spot", delete "moving", insert -- display --.

Claim 6: on line 1, after "recording medium", insert -- storing a computer program --;
on line 7, after "position of", delete "the", insert -- a --;
on line 12, after "the bright spot", delete "moving", insert -- display --.

In The Specification:

In paragraph [001] of the cross-reference to related applications section of page 1, after "October 3, 2002", insert --, now U.S. Patent No. 6,710,765 --.

Allowable Subject Matter

2. Claims 1-8 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The present invention is directed to a computer program stored in a computer readable recording medium and an input method of 3-D translation and rotation of a photo device (2) with respect to a display (1). Each of the independent claims 1 and 6 requires a combination of method steps comprising: moving the bright spot (H) freely on a display surface (F) of the display (1), and calculating the 3-D translation and rotation of the photo device (2) from a set of multiple bright spot display positions and their projection positions; whereas, closest prior art, the Roberts patent (U.S. Patent No. 5,237,647), the Kahn et al (U.S. Patent No. 5,793,361), and the Yoshiko Nomura et al publication ("Simple Calibration Algorithm for High-Distortion-Lens Camera", IEEE Transactions on Pattern Analysis and Machine Intelligence, Vol. 14, No. 11, pp. 1095-1099, November 1992) disclose conventional input devices and methods, which, either singularly or in combination, fails to teach or suggest the claimed invention.

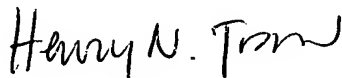
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry N. Tran whose telephone number is 571-272-7760. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Henry N Tran
Primary Examiner
Art Unit 2629

HT
2/28/07